

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PAUL FAIRLESS,

## Plaintiffs,

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RICHARD V. SPENCER,

Defendant.

CASE NO. 3:19-cv-05747-BHS-JRC

PRETRIAL SCHEDULING ORDER

The Court has reviewed the parties' Joint Status Report. *See* Dkt. 13. A trial date will be set by the assigned District Judge, the Honorable Benjamin H. Settle, if the case is not resolved by settlement or dispositive motion. The Court sets the following pretrial schedule:

Event	Date
Deadline for joining additional parties	<b>January 11, 2020</b>
Deadline for amending pleadings	<b>January 18, 2020</b>
Plaintiff's expert disclosures under Fed. R. Civ. P. 26(a)(2)	<b>June 19, 2020</b>
Defendant's expert disclosures under Fed. R. Civ. P. 26(a)(2)	<b>July 17, 2020</b>

Rebuttal expert disclosures	<b>August 14, 2020</b>
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes per Local Civil Rule (“LCR”) 7(d) and LCR 37(a)(2)	
Discovery completed by	<b>November 2, 2020</b>
All dispositive motions must be filed by ( <i>see</i> LCR 7(d))	<b>November 30, 2020</b>

This order sets firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

The parties shall familiarize themselves with the Local Civil Rules and Judge Settle's Chambers Procedures, which are available on the Court's website, <https://www.wawd.uscourts.gov/>.

## Discovery

The Court strongly encourages parties to make every effort to resolve discovery disputes without the Court's intervention, which includes the expedited joint motion procedure set forth in LCR 37(a)(2). In the event those efforts are not successful, the parties may jointly telephone the Court when presented with disputes regarding discovery issues that are particularly time-sensitive. All parties to the discovery dispute MUST participate in making the call to the Court. See LCR 7(i). Counsel may e-mail Deputy Clerk Kelly Miller at [Kelly.Miller@wawd.uscourts.gov](mailto:Kelly.Miller@wawd.uscourts.gov) to make arrangements for a telephone conference with the Court.

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## Courtesy Copies

When the aggregate submittal to the Court (i.e., the motion, any declarations and exhibits, the proposed order, and the certificate of service) exceeds 50 pages in length, a paper copy of the documents (with tabs or other organizing aids as necessary) shall be delivered to the Clerk's Office. The chambers copy must be clearly marked with the words "Courtesy Copy of Electronic Filing for Chambers." It is most helpful to chambers if the paper copy provided has been printed AFTER it has been filed on ECF, so that the copy contains the ECF headers and pagination for ease of citation.

## Settlement

The Joint Status Report indicates that the parties intend to have a settlement conference or mediation on or before the close of discovery. *See* Dkt. 13, at 4. If this case settles, plaintiff's counsel shall notify Kelly Miller via e-mail at [Kelly\\_Miller@wawd.uscourts.gov](mailto:Kelly_Miller@wawd.uscourts.gov), as soon as possible. Pursuant to LCR 11(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as the Court deems appropriate.

The Clerk is directed to send copies of this Order to all parties of record.

Dated this 20th day of December, 2019.

J. K. Ward (matina)

J. Richard Creatura  
United States Magistrate Judge